

REMARKS

Claim 21 is pending and under examination.

The provisional rejection of claim 21 under the judicially created doctrine of obviousness-type double patenting over claims 1, 2, 5-7, 10 and 13-15 of copending application serial No. 10/638,172 is respectfully traversed. Copending application serial No. 10/638,172 has not been placed into condition for allowance and currently has an outstanding final Office Action to which a response has not been filed. According to MPEP §804(I)(B), a provisional double patenting rejection should be withdrawn if it is the only remaining rejection and the application permitted to issue as a patent. Since the provisional double patenting rejection is the only remaining rejection of claim 21 in the present application and since copending application serial No. 10/638,172 has not been placed into condition for allowance, Applicants respectfully request that the provisional double patenting rejection be withdrawn.

As requested by the Examiner, the first paragraph has been updated to reflect the status of the priority applications.

The title has been amended as requested by the Examiner.

In light of the remarks herein, Applicants submit that the claims are now in condition for allowance and respectfully request a notice to this effect. The Examiner is invited to call the undersigned agent if there are any questions.

08/349,479

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

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